

Public Notice

**US ARMY CORPS
OF ENGINEERS
St. Louis District
Gateway to Excellence**

**Reply To:
U.S. Army Corps of Engineers
Attn: CEMVS-OD-F
1222 Spruce Street
St. Louis, Missouri 63103-2833**

**Public Notice No.
P-2622
Public Notice Date
November 20, 2007
Expiration Date
December 11, 2007**

Postmaster Please Post Conspicuously Until:

File Number: MVS-2006-751

Interested parties are hereby notified that an application has been received for a Department of the Army permit for certain work in waters of the United States, as described below and shown on the attached maps.

COMMENTS AND ADDITIONAL INFORMATION: Comments on the described work should reference the U.S. Army Corps of Engineers File Number shown above and must reach this office no later than the above expiration date of the Public Notice to become part of the record and be considered in the decision. Comments should be mailed to the following address:

U.S. Army Corps of Engineers
Regulatory Branch, attn: Jaynie Doerr
1222 Spruce Street
St. Louis, Missouri 63103-2833

APPLICANT: Park Hills Development, 3 Front Street, Troy, Missouri 63379.

AGENT: John Yaakub, CRM Engineering, Inc., 1746 Gilsinn Lane, St. Louis, Missouri 63026.

LOCATION: The project area is located off of South Main Road, in the Northeast ¼ of Section 2 and Southeast ¼ of Section 36, Township 48 and 49 North, Range 1 West, in the City of Troy, Lincoln County, Missouri.

PROJECT DESCRIPTION: The applicant seeks authorization to impact approximately 2225 lineal feet of two, unnamed intermittent tributaries that flow into Whitcomb Branch Creek. Currently, the 160-acre site is comprised of a mix of small wooded areas, farmland, sloped open areas, and two unnamed tributaries. The purpose of the proposed project is to build a mixed use development named Park Hills Estates. The project consists of building 211 single family detached and 46 double family residential sites, and a neighborhood commercial district, which will include 7 commercial lots, 2 playgrounds, 3 common ground areas and a residential lake. The combined creation of the recreational lake, which will serve as the detention basin, and construction of a road crossing, will impact 1950 lineal feet of an unnamed tributary. The remaining 275 lineal feet of impact will occur through the grading and filling for site development on the other unnamed tributary located in the southeast corner of the property. The applicant has proposed to mitigate on-site for the project impacts along 1130 lineal feet of Whitcomb Branch. This plan includes the establishment of 75 lineal feet of riparian corridor, measured from top of bank, along both banks of the mitigated stream

channel. Whitcomb Branch Creek flows into the Cuivre River.

LOCATION MAPS AND DRAWINGS: See Sheets 1 and 2 attached.

ADDITIONAL INFORMATION: Additional information may be obtained by contacting Jaynie Doerr, Project Manager, U.S. Army Corps of Engineers, at (314) 331-8581. Your inquiries may also be sent by electronic facsimile to (314) 331-8741 or by e-mail to Jaynie.g.doerr@usace.army.mil.

AUTHORITY: This permit will be processed under Section 404 of the Clean Water Act (33 U.S.C. 1344).

WATER QUALITY CERTIFICATION: The project plans have been submitted to the Missouri Department of Natural Resources, Water Protection Program for state certification of the proposed work in accordance with Section 401 of the Clean Water Act. The certification is requested as of the date of this Public Notice, and if issued, will express the Agency's opinion that the proposed activities will not violate applicable water quality standards. Written comments concerning possible impacts to waters of Missouri should be addressed to: Water Protection Program, Post Office Box 176, Jefferson City, Missouri 65102-0176, with a copy provided to the Corps of Engineers.

SECTION 404 (b)(1) EVALUATION: The impact of the activity on the public interest will be evaluated in accordance with the Environmental Protection Agency guidelines pursuant to Section 404 (b)(1) of the Clean Water Act.

PUBLIC HEARING: Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider the applicant's proposal. Any request for a public hearing shall state, with particularity, the reason for the hearing, and must be based on issues that would warrant additional public review.

ENDANGERED SPECIES: A preliminary determination, in compliance with the Endangered Species Act, as amended, has been made that the work that is proposed would not affect species designated as threatened or endangered, or adversely affect critical habitat. Therefore, no formal consultation request has been made to the United States Department of Interior, Fish and Wildlife Service. In order to complete our evaluation, comments are solicited from the Fish and Wildlife Service and other interested agencies and individuals through this Public Notice.

CULTURAL RESOURCES: The St. Louis District will evaluate information provided by the State Historic Preservation Officer and the public in response to this public notice and we may require a reconnaissance survey of the project area.

EVALUATION: The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the described activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit that may reasonably be expected to accrue from the described activity must be balanced against its reasonably foreseeable detriments. All factors, which may be relevant to the activity described, will be considered including the cumulative effects. Among factors considered are: conservation; economics; aesthetics; general environmental concerns; wetlands; historic properties; fish and wildlife values; flood hazards; flood plain values; land use; navigation; shoreline erosion and accretion; recreation; water supply and conservation; water quality; energy needs; safety; food and fiber production; mineral needs; consideration of property ownership; and in general the needs and welfare of the people.

SOLICITATION OF COMMENTS: The U.S. Army Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of the proposed activity. Any comments received will be considered by the U.S. Army Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.



ALAN B. EDMONDSON

For DANNY D. MCCLENDON
Chief, Regulatory Branch

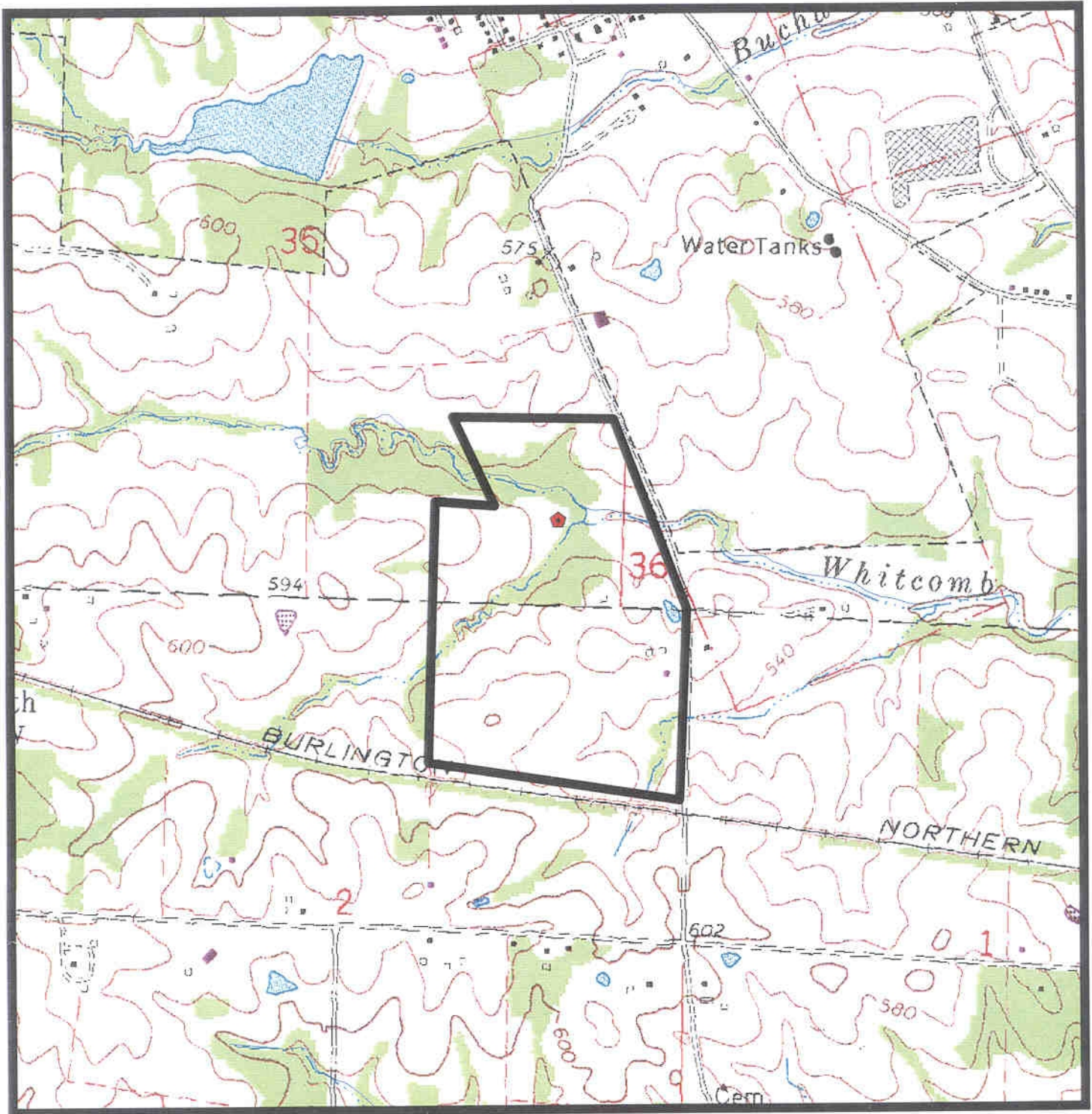
Attachments

NOTICE TO POSTMASTERS:

It is requested that this notice be conspicuously and continually placed for 21 days from the date of this issuance of this notice.

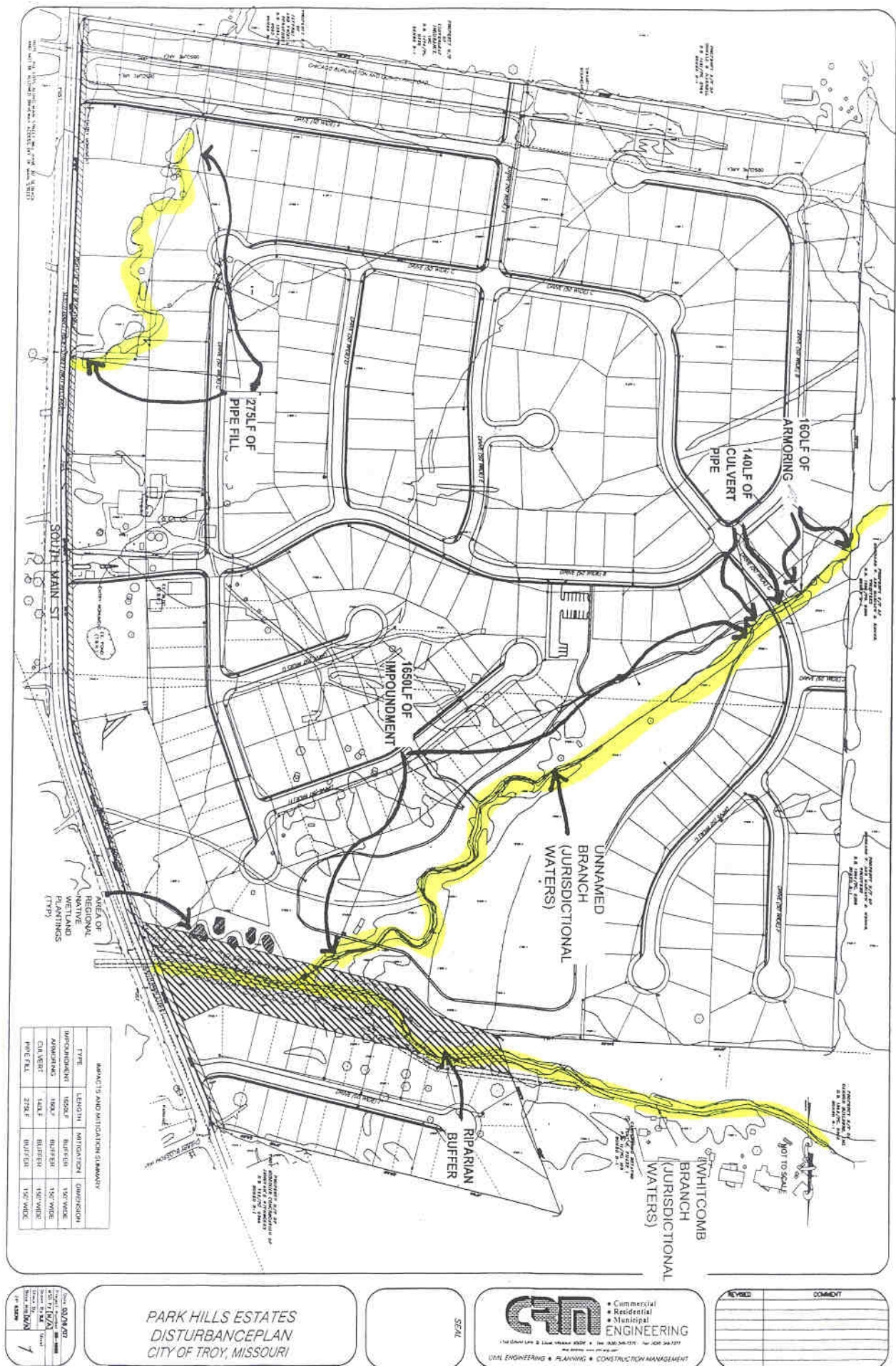
Park Hills Estates

2006-751 (P-2622)



State: Missouri
County: Lincoln
Nearest City: South Troy
Latitude: 38:57:40.9662
(38.9613795)
Longitude: -90:58:37.6377
(-90.97712159)
UTM X: 0675271.964

UTM Y: 4314228.948
UTM Zone: 15
USGS Quad: Troy
HUC 8 Name: Cuivre
HUC 8 Number: 07110008
Section: 36
Township: 49 N
Range: 1 W



Attachment 2: Proposed plans